vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10301 OF 2004

Baban Vishnu Jagade ... Petitioner

V/s.

Smt.Alimabi Mohammed Abbas
Shaikh & Ors. ... Respondents

Mrs.S.S. Vaidya for Petitioner
Mrs.Anita Agarwal for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 27, 2005**

P.C.:

. The Courts below have arrived at concurrent findings of fact that the plaintiff landlord requires the premises bonafide and reasonably. Both the Courts below have found that the witness examined on behalf of the defendants is a got up witness and therefore have not relied on his testimony. The issue of comparative hardship has also been considered. I see no infirmity in the orders of the Courts below. Hence, Petition is rejected.

2. At the request of the learned advocate for the Petitioner, time to vacate the suit premises is granted upto 31.5.2006 on the Petitioner and all the adult memebers of his family furnishing an undertaking in the

usual terms within two weeks from today.